GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

STARRED QUESTION NO:414
ANSWERED ON:24.04.2000
OBSERVATION OF CJI ON PENDENCY OF CASES
SURESH KODIKUNNIL;SURESH RAMRAO JADHAV (PATIL)

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Chief Justice of India has recentlyheld the executive solely responsible for huge pendency of cases in the various courts in the country;

(b) if so, the details thereof and reaction of the Government thereto;

(c) the details of the pendency of cases in various courts in the country;

(d) the number of posts of judges lying vacant in these courts and the steps taken to fill up the same; and

(e) the measures taken to clear the backlog of cases?

Answer

THE MINISTER FOR LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RAM JETHMALANI)

(a) to (e) : A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 414 FOR 24.4.2000 REGAR `OBSERVATION OF CJI ON PENDENCY OF CASES`.

(a): The Chief Justice of India in his Law Day Address delivered at the Supreme Court Bar Association function held on November 26, 1999 observed:

`..... Recommendations for creation of about 5,000 more courts at different levels in various States in the country are pending with the State Governments and the Union Government and no action has been taken so far .....`.

Accordingly to information available with the Government, the CJI has not held the executive solely responsible for the huge pendency of cases.

(b) & (c): The Government is aware of the need for creation of more courts as well as filling up of the existing vacancies at different levels in various States and High Courts.

According to the provisions of articles 233 and 235 of the Constitution of India, matters relating to the District Courts and Courts subordinate thereto of a State are the concern of the respective State Government and High Court. However, the Central Government has requested all the State Governments to fill up the vacant posts of the judicial officers expeditiously.

The pendency of cases in the Supreme Court of India as on 1.02.2000 is 20,260.

The pendency of cases in various High Courts, as per available information, is at Annexe-I.

The State-wise pendency of cases in the District/Subordinate Courts, as per available information, is at Annexe-II.

(d): As on 18.4.2000, there are 136 vacancies in the High Courts. The Government have been requesting the Chief Justices of High Courts from time to time to expedite their recommendations for filling up vacancies. In pursuance of the Prime Minister`s directions, the Chief Justices of High Courts have been requested on January 19, 2000 to make recommendation for appointment of Judges.

For filling up the posts of High Court Judges, the Chief Justices of the High Courts have to initiate proposals. The Governmenthas received several recommendations for appointment o f Judges. These are a t various stages of consideration. The filling up of vacancies in the High Courts is a consultative process among the Constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep on arising on account of retirement, resignation or elevation of Judges.

During January 1, 1999 - April 15, 2000, 110 Judges have been appointed in various High Courts

As on 31.12.1998, as per available information, there were 1602 vacancies in the Subordinate Courts.

(e) Various steps have been taken by the Government for the speedy disposal of both civil and criminal cases. These include amendment of the Civil Procedure Code and the Code of Criminal Procedure, increase in the number of posts of Judges/Judicial Officers, establishment of Special Courts/tribunals, improvement in the standards of Legal education, appointment of Special Judicial/Metropolitan Magistrates and adoption of alternative modes of dispute resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes. Efforts are also being made to secure more funds for setting up more courts.

ANNEXE-II

STATEMENT IN REPLY TO PART (C) OF THE LOK SABHA STARRED QUESTION NO. 414 FOR DATED 24.04.2000

NO. OF CASES PENDING IN THE DISTRICT/SUBORDINATE COURTS

Sl. No.	Name of States/ UTs	As on	Civil	Criminal	Total
1.	Andhra Pradesh	06/99	569806	431400	1001206
2.	Arunachal Pradesh	06/99	331	1469	1800
3.	Assam	12/98	55039	131760	186799
4.	Bihar	06/99	251501	982602	1234103
5.	Goa	12/99	27542	12041	39583
6.	Gujarat	06/99	641671	2413050	3054721
7	Haryana	12/98	201656	293145	494801
8.	Himachal Pradesh	12/99	71297	67826	139123
9.	Jammu & Kashmir	12/98	46529	75386	121915
10.	Karnataka	06/99	673006	484920	1157926
11.	Kerala	06/99	215744	370419	586163
12.	Madhya Pradesh	06/99	391032	1048308	1439340
13.	Maharashtra	06/99	952885	2046551	2999436
14.	Manipur	06/99	4521	3596	8117
15.	Meghalaya	12/97	261	1968	2229
16.	Mizoram	06/99	2670	1184	3854
17.	Nagaland		Not available -		
18.	Orissa	06/99	129757	528780	658537
19.	Punjab	12/98	201118	174094	375212
20.	Rajasthan	06/99	280893	573999	854892
21.	Sikkim	12/98	467	1352	1819
22.	Tamil Nadu	06/99	536988	304442	841430
23.	Tripura	06/99	5593	13319	18912
24.	Uttar Pradesh	06/99	1008471	2298622	3307093
25.	West Bengal	12/98	457254	854264	1311518
26.	And. & Nikobar	06/99	552	56	608
27.	Chandigarh	12/98	12961	32206	45167
28.	Dadra & N.Haveli	12/99	273	1035	1308
29.	Daman & Diu	06/99	601	623	1224
30.	Delhi	12/99	157531	305542	463073
31.	Lakshadweep	12/99	83	110	193
32.	Pondicherry	06/99	5583	5122	10705
Total:-			6903616	13459191	20362807